

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: TAKATOH=1

In re Application of:)	Confirmation No.: 2977
)	
Chikako TAKATOH et al)	Art Unit: 1645
)	
I.A. Filing Date: 09/06/2004)	Examiner: Suchira Pande
371(c) Date: October 31, 2006)	
)	August 30, 2007
U.S. Appln. No.: 10/570,594)	
)	
For: CATIONIC DYE COMPOUND FOR)	
DETECTING NUCLEIC ACID...)	

REPLY TO RESTRICTION
BASED ON PURPORTED LACK OF UNITY OF INVENTION

Customer Service Window, Mail Stop Amendment
Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Randolph Building
401 Dulany Street
Alexandria, Virginia 22314

Sir:

Applicants are in receipt of the Office Action
mailed August 1, 2007, and reply below.

First, however, applicants respectfully request the
PTO to acknowledge receipt of applicants' papers filed under
§119.

Restriction has been required between what the PTO
deems as being two (2) separate inventions lacking unity of
invention. As applicants must make an election, applicants
hereby respectfully and provisionally elect Group I, presently

claims 4-7, without prejudice and without traverse.

Applicants accept that the two groups call for separate inventions, and that these are patentably distinct from one another, and applicants are proceeding in reliance thereof. The PTO is accordingly authorized to delete the non-elected claim 8 upon allowance of the elected subject matter, without prejudice to applicants' rights.

Applicants now respectfully await the results of the first action on the merits.

In view of the new rules which are soon to go into effect and which will severely limit applicants' options, the co-operation and assistance of the examiner is respectfully requested to ensure full coverage of applicants' invention without being prematurely cut off from further prosecution.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant

By



Sheridan Neimark
Registration No. 20,520

SN:kg
Telephone No.: (202) 628-5197
Facsimile No.: (202) 737-3528
G:\BN\Y\YUAS\Takatch1\Pto\2007-08-30PCTRPLYRESTRICT.doc